

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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EFFYIS, INC., et al.,

Plaintiffs/Counterclaim-Defendants,

v.

Case No. 18-13391

DARREN KELLY,

Defendant/Counterclaimant.

/

**ORDER FOR EXPEDITED RESPONSE TO PLAINTIFFS' TIME-SENSITIVE MOTION  
TO DISMISS THEIR AFFIRMATIVE CLAIMS VOLUNTARILY**

Trial is set to commence in this matter on November 1, 2022. On October 10, 2022, Plaintiffs/Counterclaim-Defendants filed "Plaintiffs' Time-Sensitive Motion to Dismiss Their Affirmative Claims Voluntarily," seeking the court's permission to dismiss without prejudice their three claims currently pending for resolution by trial. (ECF No. 84.) Plaintiffs/Counterclaim-Defendants indicate that, while a concurrence was sought and is still being discussed, no such stipulation has been reached between the parties. Given the proximity to trial, and the fact that the court was made aware of the potential for stipulated voluntary dismissal at the Final Pretrial Conference on September 28, 2022, an expedited response from Defendant/Counterclaimant is required. Accordingly,

IT IS ORDERED that Defendant/Counterclaimant shall file a response to Plaintiffs/Counterclaim-Defendants' motion for voluntary dismissal by **Friday, October 14, 2022.**

s/Robert H. Cleland /  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: October 11, 2022

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 11, 2022, by electronic and/or ordinary mail.

s/Lisa Wagner /  
Case Manager and Deputy Clerk  
(810) 292-6522

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